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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/752,139

12/29/2000

William E. La Macchia

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EXAMINER

DIXON, THOMAS A

ART UNIT

PAPER NUMBER

3628

MAIL DATE

DELIVERY MODE

06/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/752,139

Applicant(s)

LA MACCHIA ET AL.

Examiner

Thomas A. Dixon

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,9,16,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,9,16,18-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. The amendment filed on 4/1/07 has been considered, an updated search revealed the Golden et al (5,761,648) reference applied below.
2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1, 9, 16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch (6,119,094) in view of Webber et al (5,021,953) further in view of Golden et al (5,761,648).

As per Claims 1.

Lynch et al ('094) discloses:

database containing inventory information, rate database and travel product information as part of an inventory and rate management system, see figure 1 (inventory data structure);

an interface between the travel product inventory and rate management system and a vacation package seller and the inventory and rate management system, see column 8, lines 56-65 or a component bundler, see figure 1 (set of low-priced alternatives).

Lynch et al ('094) further discloses the storage of travel discounts available to particular businesses, see column 2, lines 65-67, which is seen as a pricing rule, but is not specifically from the travel product supplier.

Webber et al ('953) teaches that the Airline Tariff Publishing Company supplies rule sets associated with flights as supplied by travel providers and the invented system reformats the rules for the benefit that they can be full automatically be used in determining flight itineraries.

Lynch et al ('094) does not specifically disclose the database includes pre-allocated inventory.

Golden et al ('648) teaches pre-allocated inventory, see column 6, lines 19-24 for the benefit of provider preference in allocating available reservations.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lynch et al ('094) to include the pricing rules of Webber et al and the pre-allocated inventory of Golden et al for the benefit of provider preference in allocation

As per Claim 9.

Lynch et al ('094) discloses:

providing a bulk inventory and rate database as part of an inventory and rate management system, see figure 1 (inventory data structure) and column 2, lines 6-13;

loading the bulk inventory and rate database with inventory and rate information for a plurality of individual travel products provided by a plurality of travel suppliers, see figure 3 (108), column 2, lines 6-13 and column 4, lines 46-61;

selectively choosing and bundling at least two of the plurality of individual travel products into a vacation package, see figure 1 (set of low priced alternatives), and column 4, line 42 – column 5, line 6;

selecting the vacation package through an interface between the vacation package seller and the inventory and rate management system, see column 8, lines 59-65; and

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Lynch et al ('094) further discloses the storage of travel discounts available to particular businesses, see column 2, lines 65-67, which is seen as a pricing rule, but is not specifically from the travel product supplier.

Webber et al ('953) teaches that the Airline Tariff Publishing Company supplies rule sets associated with flights as supplied by travel providers and the invented system reformats the rules for the benefit that they can be full automatically be used in determining flight itineraries.

Golden et al ('648) teaches pre-allocated inventory, see column 6, lines 19-24 for the benefit of provider preference in allocating available reservations.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lynch et al ('094) to include the pricing rules of Webber et al and the pre-allocated inventory of Golden et al for the benefit of provider preference in allocation

As per Claim 18.

Lynch et al (094) further discloses the bundling is performed by a dynamic component at the time when the vacation package seller performs the step of selecting the vacation package, see column 7, line 8 – column 8, line 65.

As per Claims 19.

Lynch et al (094) further discloses the bundling is performed prior to the time when the vacation package seller performs the step of selecting the vacation package, see column 1, lines 22-34.

As per Claim 16.

Lynch et al (094) discloses:

providing a bulk inventory, travel product information and rate database as part of an inventory and rate management system, see figure 1 (inventory data structure) and column 2, lines 6-13;

combining at least two of the plurality of individual travel products into a vacation package, see figure 1 (set of low-priced alternatives);

selectively assessing the vacation package through an interface between a vacation package seller and the inventory and rate management system, see column 8, lines 56-65;

loading the bulk inventory and rate database with inventory and rate information related to the travel products supplied by each of the plurality of travel product suppliers, wherein the inventory and rate information contained in the bulk inventory and rate database includes rules from the travel product suppliers regarding availability and pricing that permit the travel product and rate inventory management system to allocate inventory and determine pricing for individual travel products, see figure 3 (108), column 2, lines 6-13, and column 4, lines 46-61; and

reserving the vacation package through the interface to the inventory and rate management system, see column 8, lines 59-65.

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Lynch et al ('094) further discloses the storage of travel discounts available to particular businesses, see column 2, lines 65-67, which is seen as a pricing rule, but is not specifically from the travel product supplier.

Webber et al ('953) teaches that the Airline Tariff Publishing Company supplies rule sets associated with flights as supplied by travel providers and the invented system reformats the rules for the benefit that they can be full automatically be used in determining flight itineraries.

Golden et al ('648) teaches pre-allocated inventory, see column 6, lines 19-24 for the benefit of provider preference in allocating available reservations.

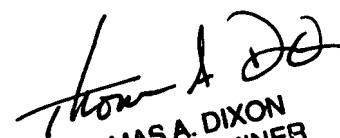
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lynch et al ('094) to include the pricing rules of Webber et al and the pre-allocated inventory of Golden et al for the benefit of provider preference in allocation

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


THOMAS A. DIXON
PRIMARY EXAMINER